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IS 5/16/08

P.L. 2007, CHAPTER 192, *approved October 22, 2007*

Senate Committee Substitute for

Senate, No. 425

1 AN ACT concerning continuing care retirement communities and  
2 amending P.L.1986, c.103.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. Section 16 of P.L.1986, c.103, (C.52:27D-345) is amended  
8 to read as follows:

9 a. Residents living in a facility which holds a certificate of  
10 authority issued pursuant to this act have the right of self-  
11 organization. No retaliatory conduct shall be permitted against a  
12 resident for organization or membership or participation in a  
13 residents' organization; for the resident's lawful efforts to secure or  
14 enforce his rights under the continuing care agreement, the laws of  
15 the State of New Jersey or its governmental subdivisions, or of the  
16 United States; or for the resident's good faith complaint to a  
17 governmental authority of the provider's alleged violation of any  
18 health or safety law, regulation, code or ordinance or State law or  
19 regulation which has as its objective the regulation of the facility or  
20 the delivery of health care services.

21 b. The board of directors or other governing body, or a  
22 designated representative[,] who is not the chief executive officer  
23 or other [governing body] staff member, of a continuing care facility  
24 shall hold quarterly meetings with the residents or their elected  
25 representatives of the [continuing care]facility, for the purpose of  
26 free discussion of subjects which may include income, expenditures  
27 and financial matters as they apply to the facility and proposed  
28 changes in policies, programs and services. Any questions on these  
29 subjects may be raised at each quarterly meeting, except for  
30 confidential personnel matters, and shall be answered or explained  
31 promptly when possible, or within a reasonable period of time.  
32 Residents shall be given at least seven days' notice of each  
33 quarterly meeting.

34 c. The provider shall designate and make knowledgeable  
35 personnel available to address resident complaints about the  
36 operation and management of the facility.

37 d. The board of directors or other governing body of a facility  
38 shall consult and discuss with the representatives of the residents  
39 any proposed action that might significantly affect the well-being of  
40 the residents or the financial stability of the facility, before taking  
41 the proposed action.

42 e. The board of directors or other governing body of a facility  
43 shall include at least one resident as a full voting member of the

**EXPLANATION** – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

SCS for S425

1 board or body. Resident members shall be nominated by the elected  
2 representatives of the residents and selected by the board of  
3 directors or other governing body. If the board of directors or other  
4 governing body governs more than one facility, the occupancy of  
5 each seat on that body that is reserved for a resident member shall  
6 rotate among the facilities governed by that body on a term-by-term  
7 basis.

8 (cf: P.L.1986, c.103, s.16)

9

10 2. Section 28 of P.L.1986, c.103 (C.52:27D-357) is amended to  
11 read as follows:

12 a. There is created a Continuing Care Advisory Council which  
13 consists of ~~17~~ 13 members as follows: the Commissioners of the  
14 Departments of Community Affairs, Health and Senior Services and  
15 Banking and Insurance, or their designees, who shall serve ex  
16 officio and shall be non-voting members; 10 public members  
17 appointed by the Governor, with the advice and consent of the  
18 Senate, who are residents of the State and two of whom are  
19 administrators of continuing care facilities in this State, one of  
20 whom is a representative of the business community and  
21 knowledgeable in the area of management, one of whom is a  
22 certified public accountant, one of whom is an attorney licensed to  
23 practice in this State, three of whom are residents of continuing care  
24 retirement communities in this State who are recommended by the  
25 Organization of Residents Associations of New Jersey, one of  
26 whom is a trustee or director of a continuing care retirement  
27 community in this State and one of whom is a representative of the  
28 New Jersey Association of Non-Profit Homes for the Aging~~];~~ two  
29 members of the Senate appointed by the President thereof; and two  
30 members of the General Assembly appointed by the Speaker  
31 thereof].

32 b. The term of office for each public member is three years, or  
33 until the member's successor has been appointed; except that of the  
34 public members first appointed, two shall be appointed for a term of  
35 one year, two for a term of two years and three for a term of three  
36 years. **[The legislative members shall be appointed for their**  
37 **legislative terms of office.]**

38 A vacancy in the membership of the council shall be filled in the  
39 same manner as the original appointment, but for the unexpired  
40 term. A member of the council is eligible for reappointment.

41 The members of the council shall serve without compensation,  
42 but the council shall reimburse the members for the reasonable  
43 expenses incurred in the performance of their duties.

44 c. The council shall hold an organizational meeting within 30  
45 days after the appointment of its members. The members of the  
46 council shall elect from among them a chairman, who shall be the  
47 chief executive officer of the council, and the members shall elect a

SCS for S425

- 1 secretary, who need not be a member of the council.
- 2 d. The council shall meet at least four times a year but may  
3 meet more frequently at the discretion of the chairman or the  
4 commissioner.
- 5 e. The council may call to its assistance and avail itself of the  
6 services and assistance of any officials and employees of the  
7 Department of Community Affairs or other State agency and  
8 political subdivisions and their departments, boards, bureaus,  
9 commissions and agencies as it requires and as is available to it for  
10 this purpose and may expend any funds that are appropriated or  
11 otherwise made available to it pursuant to this act.
- 12 f. The council shall:
- 13 (1) Advise and provide information to the commissioner on  
14 matters pertaining to the operation and regulation of continuing care  
15 retirement facilities, upon request of the commissioner;
- 16 (2) Review and comment upon, as appropriate, any proposed  
17 rules and regulations and legislation pertaining to continuing care  
18 retirement facilities;
- 19 (3) Make recommendations to the commissioner about any  
20 needed changes in rules and regulations and State and federal laws  
21 pertaining to continuing care retirement facilities; and
- 22 (4) Assist in the rehabilitation of a continuing care retirement  
23 facility, upon request of the commissioner.
- 24 g. The commissioner shall report annually to the Governor and  
25 the Legislature, the commissioner's and the council's findings and  
26 recommendations concerning continuing care retirement  
27 communities and the implementation of this act.
- 28 (cf: P.L.1986, c.103, s.28)

29  
30 3. This act shall take effect on the 90th day after enactment.

31

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35 \_\_\_\_\_  
36 Requires resident of continuing care retirement community be  
37 member of facility's governing body and discussion of certain  
subjects with resident representatives.

# SENATE, No. 425

## STATE OF NEW JERSEY 212th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

**Sponsored by:**

**Senator ROBERT W. SINGER**

**District 30 (Burlington, Mercer, Monmouth and Ocean)**

**Senator ELLEN KARCHER**

**District 12 (Mercer and Monmouth)**

**SYNOPSIS**

Requires inclusion of resident of continuing care retirement community as member of facility's local governing body and discussion of certain matters with resident representatives.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning continuing care retirement communities and  
2 amending P.L.1986, c.103.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 16 of P.L. 1986, c. 103, (C.52:27D-345) is amended  
8 to read as follows:

9 a. Residents living in a facility which holds a certificate of  
10 authority issued pursuant to this act have the right of self-  
11 organization. No retaliatory conduct shall be permitted against a  
12 resident for organization or membership or participation in a  
13 residents' organization; for the resident's lawful efforts to secure or  
14 enforce his rights under the continuing care agreement, the laws of  
15 the State of New Jersey or its governmental subdivisions, or of the  
16 United States; or for the resident's good faith complaint to a  
17 governmental authority of the provider's alleged violation of any  
18 health or safety law, regulation, code or ordinance or State law or  
19 regulation which has as its objective the regulation of the facility or  
20 the delivery of health care services.

21 b. The board of directors or other local governing body, or a  
22 designated representative[,] who is not the chief executive officer or  
23 other [governing body] staff member, of a continuing care facility  
24 shall hold quarterly meetings with the residents or their elected  
25 representatives of the [continuing care] facility, for the purpose of  
26 free discussion of subjects which may include income, expenditures  
27 and financial matters as they apply to the facility and proposed  
28 changes in policies, programs and services. Any questions on these  
29 subjects may be raised, except for confidential personnel matters,  
30 and shall be answered or explained promptly when possible, or  
31 within a reasonable period of time. Residents shall be given at least  
32 seven days' notice of each quarterly meeting.

33 c. The provider shall designate and make knowledgeable  
34 personnel available to address resident complaints about the  
35 operation and management of the facility.

36 d. The board of directors or other local governing body of a  
37 facility shall include at least one resident as a full voting member of  
38 that board or body. Resident members shall be nominated by the  
39 elected representatives of the residents and selected by the board of  
40 directors or other local governing body.

41 e. The board of directors or other local governing body of the  
42 facility shall consult and discuss with the representatives of the  
43 residents a proposed action that might significantly affect the well-  
44 being of the residents or the financial stability of the facility, before

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Matter underlined thus is new matter.

1 taking any such action.  
2 (cf: P.L.1986, c.103, s.16)

3  
4 2. Section 28 of P.L.1986, c.103 (C.52:27D-357) is amended to  
5 read as follows:

6 a. There is created a Continuing Care Advisory Council which  
7 consists of 17 members as follows: the Commissioners of the  
8 Departments of Community Affairs, Health and Senior Services and  
9 Banking and Insurance, or their designees, who shall serve ex  
10 officio and shall be non-voting members; 10 public members  
11 appointed by the Governor, with the advice and consent of the  
12 Senate, who are residents of the State and two of whom are  
13 administrators of continuing care facilities in this State, one of  
14 whom is a representative of the business community and  
15 knowledgeable in the area of management, one of whom is a  
16 certified public accountant, one of whom is an attorney licensed to  
17 practice in this State, three of whom are residents of continuing care  
18 retirement communities in this State chosen by the Organization of  
19 Residents Associations of New Jersey, one of whom is a trustee or  
20 director of a continuing care retirement community in this State and  
21 one of whom is a representative of the New Jersey Association of  
22 Non-Profit Homes for the Aging; two members of the Senate  
23 appointed by the President thereof; and two members of the General  
24 Assembly appointed by the Speaker thereof.

25 b. The term of office for each public member is three years, or  
26 until the member's successor has been appointed; except that of the  
27 public members first appointed, two shall be appointed for a term of  
28 one year, two for a term of two years and three for a term of three  
29 years. The legislative members shall be appointed for their  
30 legislative terms of office.

31 A vacancy in the membership of the council shall be filled in the  
32 same manner as the original appointment, but for the unexpired  
33 term. A member of the council is eligible for reappointment.

34 The members of the council shall serve without compensation,  
35 but the council shall reimburse the members for the reasonable  
36 expenses incurred in the performance of their duties.

37 c. The council shall hold an organizational meeting within 30  
38 days after the appointment of its members. The members of the  
39 council shall elect from among them a chairman, who shall be the  
40 chief executive officer of the council, and the members shall elect a  
41 secretary, who need not be a member of the council.

42 d. The council shall meet at least four times a year but may meet  
43 more frequently at the discretion of the chairman or the  
44 commissioner.

45 e. The council may call to its assistance and avail itself of the  
46 services and assistance of any officials and employees of the  
47 Department of Community Affairs or other State agency and  
48 political subdivisions and their departments, boards, bureaus,



1 commissions and agencies as it requires and as is available to it for  
2 this purpose and may expend any funds that are appropriated or  
3 otherwise made available to it pursuant to this act.

4 f. The council shall:

5 (1) Advise and provide information to the commissioner on  
6 matters pertaining to the operation and regulation of continuing care  
7 retirement facilities, upon request of the commissioner;

8 (2) Review and comment upon, as appropriate, any proposed  
9 rules and regulations and legislation pertaining to continuing care  
10 retirement facilities;

11 (3) Make recommendations to the commissioner about any  
12 needed changes in rules and regulations and State and federal laws  
13 pertaining to continuing care retirement facilities; and

14 (4) Assist in the rehabilitation of a continuing care retirement  
15 facility, upon request of the commissioner.

16 g. The commissioner shall report annually to the Governor and  
17 the Legislature, the commissioner's and the council's findings and  
18 recommendations concerning continuing care retirement  
19 communities and the implementation of this act.

20 (cf: P.L.1986, c.103, s.28)

21

22 3. This act shall take effect immediately, except that section 1  
23 shall take effect on the 90th day after enactment.

24

25

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#### STATEMENT

27

28 This bill amends N.J.S.A.52:27D-345 concerning quarterly  
29 meetings of the board of directors or other local governing body of  
30 a continuing care facility with the residents or their elected  
31 representatives in the facility. Under current law, the board of  
32 directors, a designated representative, or other governing body of a  
33 continuing care facility must hold the quarterly meetings. The bill  
34 stipulates that a designated representative who holds the quarterly  
35 meetings may not be the chief executive officer or another staff  
36 member of the continuing care facility. In addition, the bill  
37 provides that, except for confidential personnel matters, any  
38 questions concerning subjects such as income, expenditures and  
39 financial matters and proposed changes in policies, programs and  
40 services may be raised and must be answered or explained  
41 promptly when possible, or within a reasonable period of time.

42 The bill also provides that the board of directors or other local  
43 governing body must include at least one resident as a full voting  
44 member. Resident members would be nominated by the elected  
45 representatives of the residents and selected by the board of  
46 directors or other local governing body.

47 In addition, the board of directors or other local governing body  
48 must consult and discuss with the representatives of the residents a

**S425 SINGER, KARCHER**

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1 proposed action that might significantly affect the well-being of the  
2 residents or the financial stability of the facility, before taking any  
3 such action.

4 Lastly, the bill amends N.J.S.A.52:27D-357, concerning the  
5 Continuing Care Advisory Council, to provide that the three public  
6 members of the council who are residents of continuing care  
7 retirement communities in this State be chosen by the Organization  
8 of Residents Associations of New Jersey.

SENATE HEALTH, HUMAN SERVICES AND SENIOR  
CITIZENS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, No. 425**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 26, 2007

The Senate Health, Human Services and Senior Citizens Committee reports favorably a Senate Committee Substitute for Senate Bill No. 425.

This committee substitute amends the "Continuing Care Retirement Community Regulation and Financial Disclosure Act," (N.J.S.A.52:27D-330 et seq.) concerning the operations and membership of the board of directors or other governing body of a continuing care facility.

The substitute provides specifically as follows:

- The designated representative of the board of directors or other governing body of a continuing care facility, who is required under current law to hold quarterly meetings with the residents or their elected representatives, may not be the chief executive officer or other staff member of the continuing care facility.
- Except for confidential personnel matters, any questions concerning subjects such as income, expenditures and financial matters as they apply to the facility and proposed changes in policies, programs and services may be raised at the quarterly meeting and are to be answered or explained promptly when possible, or within a reasonable period of time.
- The board of directors or other governing body is required to consult and discuss with the representatives of the residents any proposed action that might significantly affect the residents' well-being or the financial stability of the facility, before taking the proposed action.
- The board of directors or other governing body is to include at least one resident as a full voting member, who is to be nominated by the elected representatives of the residents and selected by the board of directors or other governing body.
- N.J.S.A. 52:2D-357, establishing the Continuing Care Advisory Council, is amended to provide that three of the members who are residents of continuing care retirement communities are to be recommended by the Organization of Residents Associations of New Jersey. In addition, the substitute reduces the size of the council from 17 to 13 members and deletes the four members of the Legislature.

The substitute takes effect on the 90th day after enactment.

This substitute is similar to Assembly Bill No. 3989 (Panter), which is pending before the Assembly Health and Senior Services Committee.

# ASSEMBLY, No. 3989

## STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED FEBRUARY 22, 2007

**Sponsored by:**

**Assemblyman MICHAEL J. PANTER**  
**District 12 (Mercer and Monmouth)**

**Co-Sponsored by:**

**Assemblyman Epps**

**SYNOPSIS**

Requires resident of continuing care retirement community be member of facility's governing body and discussion of certain subjects with resident representatives.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 3/13/2007)**

1 AN ACT concerning continuing care retirement communities and  
2 amending P.L.1986, c.103.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 16 of P.L.1986, c.103, (C.52:27D-345) is amended to  
8 read as follows:

9 a. Residents living in a facility which holds a certificate of  
10 authority issued pursuant to this act have the right of self-  
11 organization. No retaliatory conduct shall be permitted against a  
12 resident for organization or membership or participation in a  
13 residents' organization; for the resident's lawful efforts to secure or  
14 enforce his rights under the continuing care agreement, the laws of  
15 the State of New Jersey or its governmental subdivisions, or of the  
16 United States; or for the resident's good faith complaint to a  
17 governmental authority of the provider's alleged violation of any  
18 health or safety law, regulation, code or ordinance or State law or  
19 regulation which has as its objective the regulation of the facility or  
20 the delivery of health care services.

21 b. The board of directors or other governing body, or a  
22 designated representative[,] who is not the chief executive officer  
23 or other [governing body] staff member, of a continuing care  
24 facility shall hold quarterly meetings with the residents or their  
25 elected representatives of the [continuing care]facility, for the  
26 purpose of free discussion of subjects which may include income,  
27 expenditures and financial matters as they apply to the facility and  
28 proposed changes in policies, programs and services. Any  
29 questions on these subjects may be raised at each quarterly  
30 meeting, except for confidential personnel matters, and shall be  
31 answered or explained promptly when possible, or within a  
32 reasonable period of time. Residents shall be given at least seven  
33 days' notice of each quarterly meeting.

34 c. The provider shall designate and make knowledgeable  
35 personnel available to address resident complaints about the  
36 operation and management of the facility.

37 d. The board of directors or other governing body of the facility  
38 shall consult and discuss with the representatives of the residents  
39 any proposed action that might significantly affect the well-being of  
40 the residents or the financial stability of the facility, before taking  
41 the proposed action.

42 e. The board of directors or other governing body of a facility  
43 shall include at least one resident as a full voting member of the  
44 board or body. Resident members shall be nominated by the elected  
45 representatives of the residents and selected by the board of

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not enacted and is intended to be omitted in the law.

**Matter underlined thus is new matter.**

A3989 PANTER

1 directors or other governing body. If the board of directors or other  
2 governing body governs more than one facility, the occupancy of  
3 each seat on that body that is reserved for a resident member shall  
4 rotate among the facilities governed by that body on a term-by-term  
5 basis.

6 (cf: P.L.1986, c.103, s.16)

7  
8 2. Section 28 of P.L.1986, c.103 (C.52:27D-357) is amended to  
9 read as follows:

10 a. There is created a Continuing Care Advisory Council which  
11 consists of 17 members as follows: the Commissioners of the  
12 Departments of Community Affairs, Health and Senior Services and  
13 Banking and Insurance, or their designees, who shall serve ex  
14 officio and shall be non-voting members; 10 public members  
15 appointed by the Governor, with the advice and consent of the  
16 Senate, who are residents of the State and two of whom are  
17 administrators of continuing care facilities in this State, one of  
18 whom is a representative of the business community and  
19 knowledgeable in the area of management, one of whom is a  
20 certified public accountant, one of whom is an attorney licensed to  
21 practice in this State, three of whom are residents of continuing care  
22 retirement communities in this State who are recommended by the  
23 Organization of Residents Associations of New Jersey, one of  
24 whom is a trustee or director of a continuing care retirement  
25 community in this State and one of whom is a representative of the  
26 New Jersey Association of Non-Profit Homes for the Aging; two  
27 members of the Senate appointed by the President thereof; and two  
28 members of the General Assembly appointed by the Speaker  
29 thereof.

30 b. The term of office for each public member is three years, or  
31 until the member's successor has been appointed; except that of the  
32 public members first appointed, two shall be appointed for a term of  
33 one year, two for a term of two years and three for a term of three  
34 years. The legislative members shall be appointed for their  
35 legislative terms of office.

36 A vacancy in the membership of the council shall be filled in the  
37 same manner as the original appointment, but for the unexpired  
38 term. A member of the council is eligible for reappointment.

39 The members of the council shall serve without compensation,  
40 but the council shall reimburse the members for the reasonable  
41 expenses incurred in the performance of their duties.

42 c. The council shall hold an organizational meeting within 30  
43 days after the appointment of its members. The members of the  
44 council shall elect from among them a chairman, who shall be the  
45 chief executive officer of the council, and the members shall elect a  
46 secretary, who need not be a member of the council.

47 d. The council shall meet at least four times a year but may  
48 meet more frequently at the discretion of the chairman or the

1 commissioner.

2 e. The council may call to its assistance and avail itself of the  
3 services and assistance of any officials and employees of the  
4 Department of Community Affairs or other State agency and  
5 political subdivisions and their departments, boards, bureaus,  
6 commissions and agencies as it requires and as is available to it for  
7 this purpose and may expend any funds that are appropriated or  
8 otherwise made available to it pursuant to this act.

9 f. The council shall:

10 (1) Advise and provide information to the commissioner on  
11 matters pertaining to the operation and regulation of continuing care  
12 retirement facilities, upon request of the commissioner;

13 (2) Review and comment upon, as appropriate, any proposed  
14 rules and regulations and legislation pertaining to continuing care  
15 retirement facilities;

16 (3) Make recommendations to the commissioner about any  
17 needed changes in rules and regulations and State and federal laws  
18 pertaining to continuing care retirement facilities; and

19 (4) Assist in the rehabilitation of a continuing care retirement  
20 facility, upon request of the commissioner.

21 g. The commissioner shall report annually to the Governor and  
22 the Legislature, the commissioner's and the council's findings and  
23 recommendations concerning continuing care retirement  
24 communities and the implementation of this act.

25 (cf: P.L.1986, c.103, s.28)

26

27 3. This act shall take effect on the 90th day after enactment.

28

29

30 STATEMENT

31

32 This bill amends the "Continuing Care Retirement Community  
33 Regulation and Financial Disclosure Act," P.L.1986, c.103  
34 (C.52:27D-330 et seq.), concerning the operations and membership  
35 of the board of directors or other governing body of a continuing  
36 care facility.

37 The bill provides specifically as follows:

- 38 • The designated representative of the board of directors or other  
39 governing body of a continuing care facility who holds quarterly  
40 meetings with the residents or their elected representatives (which  
41 the board of directors or a designated representative is required to  
42 do under current law) may not be the chief executive officer or  
43 other staff member of the continuing care facility.
- 44 • Except for confidential personnel matters, any questions  
45 concerning subjects such as income, expenditures and financial  
46 matters as they apply to the facility and proposed changes in  
47 policies, programs and services may be raised at the quarterly



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- 1 meeting and are to be answered or explained promptly when  
2 possible, or within a reasonable period of time.
- 3 • The board of directors or other governing body is required to  
4 consult and discuss with the representatives of the residents any  
5 proposed action that might significantly affect the well-being of  
6 the residents or the financial stability of the facility, before taking  
7 the proposed action.
  - 8 • The board of directors or other governing body is to include at  
9 least one resident as a full voting member, who is to be  
10 nominated by the elected representatives of the residents and  
11 selected by the board of directors or other governing body.
  - 12 • The three public members of the Continuing Care Advisory  
13 Council created pursuant to section 28 of P.L.1986, c.103  
14 (C.52:27D-357), who are residents of continuing care retirement  
15 communities in this State, are to be recommended by the  
16 Organization of Residents Associations of New Jersey.
  - 17 • The bill takes effect on the 90th day after enactment.

# ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 3989

with committee amendments

# STATE OF NEW JERSEY

DATED: MARCH 12, 2007

The Assembly Health and Senior Services Committee reports favorably and with amendments Assembly Bill No. 3989.

As amended by the committee, this bill amends the "Continuing Care Retirement Community Regulation and Financial Disclosure Act," P.L.1986, c.103 (C.52:27D-330 et seq.), concerning the operations and membership of the board of directors or other governing body of a continuing care facility.

The bill provides specifically as follows:

- The designated representative of the board of directors or other governing body of a continuing care facility who holds quarterly meetings with the residents or their elected representatives (which the board of directors or a designated representative is required to do under current law) may not be the chief executive officer or other staff member of the continuing care facility.
- Except for confidential personnel matters, any questions concerning subjects such as income, expenditures and financial matters as they apply to the facility and proposed changes in policies, programs and services may be raised at the quarterly meeting and are to be answered or explained promptly when possible, or within a reasonable period of time.
- The board of directors or other governing body is to include at least one resident as a full voting member, who is to be nominated by the elected representatives of the residents and selected by the board of directors or other governing body.
- If the board of directors or other governing body governs more than one facility, the occupancy of each seat on that body that is reserved for a resident member is to rotate among the facilities governed by that body on a term-by-term basis.
- The board of directors or other governing body is required to consult and discuss with the representatives of the residents a proposed action that might significantly affect the well-being of the residents or the financial stability of the facility, before taking any such action.

- The three public members of the Continuing Care Advisory Council created pursuant to section 28 of P.L.1986, c.103 (C.52:27D-357), who are residents of continuing care retirement communities in this State, are to be chosen by the Organization of Residents Associations of New Jersey. In addition, the size of the council is reduced from 17 to 13 members by deleting the four members of the Legislature.

- The bill takes effect on the 90th day after enactment.

As reported by the committee, this bill is identical to Senate Bill No. 425 SCS (Singer/Karcher), which is currently pending before the Senate.

This bill is also similar to Assembly Bill No. 3018 of 2004 (Dancer), which passed the General Assembly 73-4-1 on December 12, 2005, and was pending in the Senate Health, Human Services and Senior Citizens Committee at the conclusion of the 211th Legislature.

#### COMMITTEE AMENDMENTS

The committee amendments to the bill reduce the number of members on the Continuing Care Advisory Council from 17 to 13 by deleting the four legislative members.